



REMARKS

In the Office Action of June 14, 2006, the Examiner rejected claims 137-147 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1-8 of U.S. Patent 6,950,384 to Arai et al. The Preliminary Amendment filed on July 3, 2006 included claim 148, but this claim is not mentioned in the Office Action.

By this Amendment, Applicants amend claims 137, 139, 140, and 145. Applicants respectfully submit that pending claims 137-148 are in condition for allowance.

Although Applicants may disagree with the obviousness-type double patenting rejection of claims 137-147, to advance prosecution, Applicants file a Terminal Disclaimer with this response. Applicants thus request reconsideration and withdrawal of the obviousness-type double patenting rejection.

The filing of the Terminal Disclaimer does not manifest an admission by Applicants as to the propriety of the double patenting rejection. See M.P.E.P. § 804.02 citing Quad Environmental Technologies Corp. v. Union Sanitary District, 946 F.2d 870, 20 USPQ2d 1392 (Fed. Cir. 1991). Applicants reserve the right to traverse the double patent rejection at a later date.

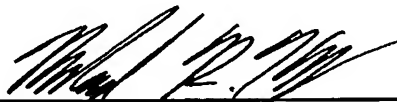
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 14, 2006

By:

A handwritten signature in black ink, appearing to read "Michael R. Kelly", is written over a horizontal line.

Michael R. Kelly
Reg. No. 33,921